

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JOHN YONG TANG and FARIS AL)
KOOHEKI, on behalf of themselves and)
others similarly situated,)
Plaintiff,)
v.) C.A. No. 22-1389 (MN)
CITIC CAPITAL HOLDINGS LTD., et al.,)
Defendants.)

ORDER

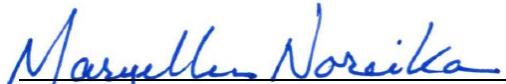
At Wilmington this 27th day of October 2022:

WHEREAS, on October 7, 2022, Magistrate Judge André M. Espinosa of the United States District Court for the District of New Jersey, issued an Opinion transferring this action to this District “where the parties may seek referral to the Bankruptcy Court”¹ (D.I. 56); and

WHEREAS, pursuant to the Amended Standing Order of Reference Re: Title 11 dated February 29, 2012 “any or all cases under Title 11 and any or all proceedings arising under Title 11 or arising in or related to a case under Title 11 are referred to the bankruptcy judges for this district.”

¹ The motion before Judge Espinosa was a joint motion to transfer the action to the United States Bankruptcy Court for the District of Delaware or, alternatively, to the United States District Court for the District of Delaware. As noted in the opinion, Section 1412 authorizes transfer “to a district court for another district.” 28 U.S.C. § 1412. In light of the Third Circuit’s guidance in *Maritime Elec. Co., Inc. v. United Jersey Bank*, 959 F.2d 1194, 1212 (3d Cir. 1991), and the absence of any decisional law construing Section 1412’s language to authorize transfers directly to a bankruptcy court, Judge Espinosa transferred the case to our Court.

THEREFORE, IT IS HEREBY ORDERED that this case is REFERRED to the United States Bankruptcy Court for the District of Delaware. The Clerk is directed to CLOSE C.A. No. 22-1389 (MN).



The Honorable Maryellen Noreika
United States District Judge